



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 13.07.2017

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.P. (MD) No.12982 of 2017
and
W.M.P. (MD) .No.10067 of 2017

A.Jeevarathinam

... Petitioner

vs.

1. The Principal District Judge,
Ramanathapuram.

2. The District Munsif -Cum-Judicial Magistrate,
Thiruvadanai,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certioraified Mandamus to call for the records pertaining to the impugned suspension order against the petitioner passed by the respondent No-2 dated 28.06.2017 and quash the same as illegal, consequently directing the respondent No.2 to regularize the petitioner service.

For Petitioner : Mr.S.M.A.Jinnah

For Respondents : Mr.D.Venkatesh

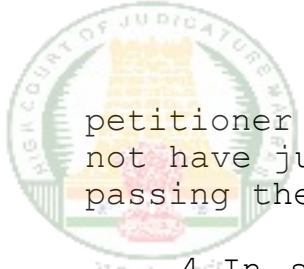
JUDGMENT

[Judgment of the Court was delivered by M.M.SUNDRESH, J.]

By consent, the writ petition itself is taken up for final disposal.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>
3.What has been challenged is only an suspension order. It is settled law that an order of suspension, pending disciplinary proceedings, is not a punishment. It is not the case of the



petitioner that the second respondent, who passed the order, does not have jurisdiction. There is no need to give an opportunity while passing the suspension order exercising the power.

4. In such view of the matter, the writ petition fails and the same is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Principal District Judge,
Ramanathapuram.
2. The District Munsif -Cum-Judicial Magistrate,
Thiruvadanai,
Ramanathapuram District.

+ 1 CC TO Mr.D.VENKADESH, ADVOCATE IN SR No. 65161
+ 1 CC TO Mr.S.M.A.JINNAH, ADVOCATE IN SR No. 65457

AM/SSS

TE/MR-KKR/SAR-I : 01/08/2017 : 2P/5C

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